

**APPROVED MINUTES  
INDIANA STATE ADVISORY COUNCIL ON THE EDUCATION OF CHILDREN  
WITH DISABILITIES**

**November 7, 2008  
Carmel Clay Educational Service Center  
Carmel, IN**

**Advisory council members present:**

R. Burden, D. Downer, C. Endres, K. Farrell, Cindy Lawrence (represented David Geeslin), J. Hammond, R. Kirby, B. Kirk, B. Lewis, L. Kovacs, K. Mears, J. Nally, D. Schmidt, Helen Coldwater (represented K. Calita)

**Advisory council members not present:**

K. Calita, C. H. Hansen, D. Geeslin; B. Henson, M. Johnson, B. Marra, M. Ramos, J. Swiss, S. Tilden, T. Wyatt,

**Indiana Department of Education Staff Present:**

S. Knoth, B. Reynolds

**Visitors:**

Marilynn Edwards (ISTA)

**Meeting:**

D. Schmidt opened the meeting at 9:15 a.m.

New members Lisa Kovacs and Kellie Colita were introduced

**Minutes from November 7, 2008**

K. Farrell moved to accept the minutes from May 2, 2008  
Seconded by J. Hammond. K. Farrell made motion to correct her comments on page two of the May 2, 2008 minutes. Motioned seconded. Minutes were approved with correction by a unanimous vote.

**OSEP Visit**

An overview was given of what the Federal rule states are the responsibilities of the State Advisory Council (SAC).

An update was given to the SAC regarding the outcome of the OSEP visit to the Center for Exceptional Learners (CEL) on October 27-30, 2008

Three directors were asked by the Center for Exceptional Learners (CEL) to participate in an exit interview with OSEP. The following was discussed.

- questions about the Continuous Improvement Monitoring (CIM) system, understanding the process and how it is working;
- how the data for the CIM process is collected at the local level and state level;
- stakeholder involvement about the determinations that Director's were asked to respond to four five indicators: Disproportionality in Special Education, Disproportionality in exceptional areas, 60 day timeline, IEP implemented by the child's 3rd birthday and transition IEP;
- the working meetings and public meetings;
- working and consulting with non-public schools that were conducted prior to the roll-out of Article 7;
- how some local agencies are using 15% of their Part B funds for early intervening services;
- communication in general with the Center for Exceptional Learners.

In closing, OSEP inquired how they could be of assistance. IDOE was disappointed that Indiana had not been selected as one of the states that were given the opportunity to use a growth model for measuring performance.

### **Creag conference call**

CREAG/OSEP conference call took place on October 6, 2008. Comments from the SAC are listed below:

- OSEP did not understand who they were talking to
- OSEP may have thought the call would be more vocal and responsive
- More response may have been given if there were an agenda
- OSEP sees the Council as a stakeholder
- The State will after deleting any personally identifiable information transmit hearing, BSEA findings and decisions to the SAC. It is the intention of CEL to send the decision on a flash drive to the SAC at the end of each year
- OSEP will now require CEL to post all due process hearing on the CEL website

-OSEP stated that due to confidentiality issues when due process hearings and complaints are posted they will be posted by topic, the planning districts and school corporations will be removed

**Action:** CEL will provide SAC with a summary of the Creag call and the SAC's monitoring duties.

The CEL monitoring team is preparing site visits. CEL is currently participating in conference calls to schools.

At a recent conference attended by one of the SAC members monitoring was an issue of discussion for all departments and divisions of those departments. It was concluded that unless something is in writing, the feds do not recognize it as being completed. Monitoring, data, fiscal has been the format under review.

### **Compliance**

Data is being provided to the districts. The proposal to the Feds is that once the 2007-2008 data from the LEAs is clean on the five indicators, CEL can release them from their corrective action plans. CEL indicates that by paying attention to the numbers it will increase the services.

**Action:** SAC is being asked to consider, at the next meeting, the timely submission of data.

**Comments:** Is there a way to get information on other states similar to and the departments that of our size and capacity that are above our level?

**Action:** B. Reynolds will follow-up with Tara Rinehart regarding her meeting in Chicago.

### **SAC Considerations**

- How schools should be monitored on the indicators
- If they do not fall under the five indicators, how do we rank them?
- Consider charter schools.
- What would be the minimum size when making the determination?

All of the indicators are publicly reported. Determinations are not publicly reported.

**Action:** CEL will send out scenario proposals as to where districts will go.

**Concerns:** LEAs need more guidance on disproportionality. Some schools are over represented.

**Action:** Invite Russ Skiba to present on disproportionality at the next meeting.

## **ISTAR/ISTART 7**

-SAC should consider the Creag local level.

**Concern:** Is there a piece that can be laced into an existing structure such at ISTART 7.

**Action:** IDOE is looking at CODA, ISTAR and ISTART 7 and it is recognized as an issue. They are working on something to appear on the dashboard of ISTART 7. The process is similar to Microsoft VISTA, ISTART 7 they had issues, but are improving.

-SAC should consider what on-site visits should look like. DOE feels that a one day visit to the school is sufficient, whereas, OSEP considers a week for a site visit is sufficient.

**Concern:** Areas that do not have the internet capacity to accommodate ISTART 7.

CEL is scheduling on-site monitoring visits with LEAs, referred to as verification visits. Indicator definitions and where the data is derived from were discussed. Graduation rate is an issue and the formula may have to be redeveloped.

### **Action from DOE/CEL:**

- Compare States
- Disproportionality survey and stakeholder feedback
- DOE support through ISTART 7

**Comment:** Monitoring should be used as a bench marking issue.

## **Testing**

-Calls have been received regarding 9<sup>th</sup> grade students not taking ISTEP. ISTEP has been replaced with the End of Course Assessment. There is not a process for End of Course Assessment appeals if a student does not pass. CEL does recognize that this is an issue.

-Handouts were given to SAC

-Criteria for participation in ISTAR  
(Up to 1% of Students)

- Criteria for Determining Participation in the Alternate Assessment for Independent Functioning in lieu of the general education assessment-effective Nov. 1 (lower level functioning students)

- Criteria for determining Participation in the Alternate Assessment for Academic Competence in lieu of the general education assessment-effective Nov. 1 (significant cognitive students)

- Criteria for participation in the yet to be named assessment (Commonly referred to as the 2% Assessment)

- Criteria for Determining Participation in the Alternative Assessment Based on Modified Academic Achievement Standards in lieu of the general education assessment

Spring of 2009 all assessments will be completed between March 1 and April 30th.

**Action:** CEL is sharing information with directors through letters.

Piloting of criteria is projected for fall of 2009-2010 and another test in spring that will apply to students' grades 3-8.

Independent functioning and Academic competence together cannot go beyond 1%. The cut score levels were so low DOE is hoping that with the expansion of the cuts scores that it will get the case conference committee to consider what the competence level of the child is. When you consider the 2% assessment the child may be found to be at a diploma track level.

**Concern:** Students with cognitive disabilities are penalized with standardized testing. The goals would lead to a more academically focused curriculum. Some of the kids with learning disabilities such as math or reading will offer flexibility. We need to be more specific in what areas we are testing.

**Issue:** If you got kicked out of ISTAR you got a 0 for participation and a 0 for testing. We are hoping that with testing they can get recognition for participation.

The tests must be in place for the 2009-2010 school year.

State Board has approved all of the proposed hand outs.

### **Driver's Education**

**Concern:** Driver's education instructors are not required to offer training to students with special needs. Not many special needs students have driver's licenses.

**Issue:** A senior in high school that is enrolled for Vocational Rehabilitation (VR) service and does not have a driver's license will be unable to get a job. VR says that it is the school's responsibility to provide driver's training.

**Action:** CEL will ask the director of school traffic safety for information on how many schools offer driver's training to students; Contact VR to find if anyone in the state is paying for driver's education; contact General Council for current interpretation.

**Concern:** Is this a SAC issue or an issue for the local district that offer driver's education to general education students? If the school offers it then it to general education students then it should be a case conference committee decision.

### **Business**

Upcoming meeting dates are as follows:

January 9, 2009

March 6, 2009

May 8, 2009

All meetings will begin at 9:00 a.m. and will be held at the Carmel Clay Education Service Center, 5201 East 131<sup>st</sup> Street, Carmel, IN 46033

**Adjourn:** Meeting adjourned at 12:30 p.m.